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Congress of the United States
House of Representatives
Washington, DC 20515-4702

ARMED SERVICES

October 24, 2017

Senator John McCain
Chairman
Senate Committee on Armed Services
Russell Senate Office Building, Room 228

Senator Jack Reed
Ranking Member
Senate Committee on Armed Services
Russell Senate Office Building, Room 228

Congressman Mac Thornberry
Chairman
House Armed Services Committee
2216 Rayburn House Office Building

Congressman Adam Smith
Ranking Member
House Armed Services Committee
2216 Rayburn House Office Building

Dear Chairman McCain, Ranking Member Reed, Chairman Thornberry, and Ranking Member Smith:

As you lead the conference reconciling differences between the House and Senate versions of the National Defense Authorization Act (NDAA) for Fiscal Year 2018, I urge the conference committee to adopt the following positions on key provisions:

1. Support military communities

School districts with reduced property tax bases due to military installations rely on Department of Defense (DOD) Impact Aid to overcome this shortfall. Because these schools educate large numbers of military family members, this program ensures servicemembers' children are receiving the best education possible. Unfortunately, funding for this program has been reduced in recent years. The House-passed NDAA authorizes Impact Aid at \$50 million for FY 18, while the Senate-passed bill authorizes the program at \$35 million, with \$10 million of this funding set aside for students with severe disabilities.

I request that the final legislation include the total authorization level from the House bill, including a \$10 million set-aside for children with severe disabilities.

2. Remove New START prohibition

The New START Treaty sets limitations on the number of deployed warheads and launchers that the United States and Russia can possess. This treaty enjoys the support of both the arms control and military communities. On Tuesday, April 4, General John

Hyten, Commander, USSTRATCOM, told the SASC that he “support[s] the limits that are in the New START Treaty.”

Section 1246 of the House-passed NDAA prohibits the use of funds to extend the New START Treaty if Russia is in violation of the INF Treaty. Russian violations of the INF Treaty are problematic, but are a separate concern.

I request that the final legislation eliminate the prohibition in Section 1246 of the House bill in order to continue the delicate diplomacy necessary to reduce the threat posed to the United States by nuclear weapons.

3. Stand up for victims

Since 1994, non-military federal retired pay has been subject to garnishment for judgments in cases of child abuse. This has left open a loophole which has denied justice for victims of abuse at the hands of military retirees. Both the House and Senate NDAA include language which would end this injustice, but Section 10602 of the Senate bill caps the garnishment amount at 25 percent of the member’s disposable retired pay.

I request that the final legislation include the bipartisan provision on child abuse accountability from Section 526 of the House bill.

4. Support communities affected by groundwater contamination

The military uses aqueous film-forming foam (AFFF) to extinguish hazardous petroleum-based fires. However, these foams contain perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS). In epidemiological studies, exposure to these chemicals is associated with increased cholesterol, immune system effects, and low infant birth rates. Based on the best available science, the EPA issued a lifetime health advisory level for PFOA/PFOS in drinking water in 2016. Communities nationwide face PFOA/PFOS contamination, including many with military installations, like Oak Harbor and Coupeville in my Congressional district.

Both the House and Senate recognize the importance of environmental remediation of these chemicals and related research. The House NDAA authorizes an additional \$60 million for Navy and Air Force PFOA/PFOS remediation and a report on the development of safe and effective firefighting foam that does not contain PFOA/PFOS. The Senate NDAA authorizes funding for a nationwide health impact study on PFOA/PFOS exposure.

I request that the final NDAA include relevant provisions and budget authority from both the House and Senate bills in order to accelerate cleanup, better understand health impacts of PFOA/PFOS exposure, and ensure the military has environmentally safe firefighting foam that meets all relevant performance standards.

5. Authorize continued research into low enriched uranium (LEU) fuel system for naval reactors

At present, nuclear reactors on U.S. submarines and aircraft carriers rely on highly enriched uranium (HEU) because the immense power demands and space constraints of these platforms require an energy-dense fuel. However, advances in reactor design could allow LEU reactors to be used in future ships without sacrificing performance. Doing so would achieve both nonproliferation and counterterrorism goals by reducing the non-weapons uses of HEU. Section 3116 of the House NDAA makes available \$5 million from the defense nuclear nonproliferation account for LEU research. The Senate bill contains no similar provision.

I request that the final NDAA include the full authority for development of an advanced naval nuclear fuel system based on LEU.

6. Establish a uniform service contract checklist

Oversight of service contracts is an important role for the Department of Defense Service Requirements Review Boards. In order to ensure compliance with total force management policies, the Army currently utilizes a requirements checklist. Section 869 of the House bill directs the Secretary of Defense to encourage the use of standard guidelines for the evaluation of service contracts, modeled after the Army checklist.

I request that the final NDAA include Section 869 of the House bill, in order to improve management and oversight of service contracts without increasing bureaucracy.

With hundreds of differences to reconcile between the House and Senate versions of the NDAA, I know the conference will be a significant undertaking for conferees and staff alike. I look forward to continuing to work on these and other provisions to achieve outcomes that will benefit our women and men in uniform by promoting readiness and strengthening our national security.

Sincerely,



Rick Larsen
Member of Congress
Washington State, 2nd District